

Senator Barrett...there are other motions on the desk to the bill as a whole.

CLERK: Mr. President, Senator Haberman would move to bracket the bill.

PRESIDENT: Senator Haberman.

SENATOR HABERMAN: I would like to ask your indulgence in listening to why I'm doing this. The bill says the Attorney General must issue an opinion that if on payment of the money appropriated under the bill, the State of Nebraska will be fully and completely released from any and all further liability for any claims arising out of the Commonwealth insolvency. I have written the Attorney General and asked him is this constitutional? Because there is no reason for us to pass a bill that has some ifs in there, if this happens, and this happens and this happens because we'll have to come back and go through the same thing.

PRESIDENT: The call of the house is raised.

SENATOR HABERMAN: The reason I put May 15th up there is to give them time to reply. Now I don't think it's constitutional because let's say somebody in Texas or a depositor isn't satisfied. You're saying that they can't go to federal court and file a claim. Sure they can. So all I'm doing is I wrote him a letter and asked him, does this completely resolve all further liabilities from claims? Number two, it states in there that the state and City of Lincoln will enter into a sale and lease back of the Nebraska State Office Building which the city will use in connection with issuance of a bond. The net proceeds from the bond will be \$20.5 million which will be deposited in the financial cash fund. I'm asking for his opinion, is this constitutional? Number three, it says the equivalent of four cents of the cigarette tax money will be deposited in the Lincoln State Office Building rental fund created by the bill, the proceeds of which will be utilized and appropriated for the payment to the city for the use by the state of the office building. I'm asking him if we can do that because we don't know if we can sell and lease back and do all this with the State Office Building. Also the committee amendments say the balance of this fund will be paid into the general fund at least on an annual basis.